



Construction health essentials	
→ February 2008	The HSE has launched an online tool for the construction industry Construction Occupational Health Management Essentials (COHME). It is designed to help large construction clients, contractors and designers with practical advice on how to tackle OH issues in seven priority risk areas: hand-arm vibration, musculoskeletal disorders, dermatitis, noise, stress, respiratory disease and asbestos.
www.hse.gov.uk/construction-health/index.htm	
DATA PROTECTION	
Data Protection Act 1998	The main provisions of the Data Protection Act 1998 came into force on 1 March 2000, but some manual data held immediately prior to 24 October 1998 and all manual data on social services or health records held in a 'relevant filing system' were exempted for six years. This period of transitional relief ended on October 2007. The Act now applies in full to all personal information covered by the legislation and data controllers must ensure that the way such information is processed is compliant with all the provisions. The Act provides individuals with rights to go to court to rectify any inaccurate information about them that pre-dates 24 October 1998. The legislation does not, however, require that data controllers digitise computerised data manual records.
→ October 2007	
DISABILITY	
Pre-employment health standards investigation	In its last act before being absorbed into the new Equality and Human Rights Commission, the Disability Rights Commission published its formal investigation into the professional regulation of nurses, teachers and social workers. Its report, <i>Maintaining standards, promoting equality</i> , professional regulation with nursing, teaching and social work and disabled people's access to these professions, recommends the abolition of statutory health standards in these professions and says that regulation and reviews should focus on conduct and competence. Existing health standards present unjustified barriers to disabled people wishing to enter the professions and do not protect public safety. It also recommends that employers eliminate irrelevant health questions at recruitment. It calls on OH professionals to review their health questionnaires.
→ September 2007	



# [Inside this issue] APRIL/MAY\_08

FEATURES ▶▶▶ LEGAL ▶▶▶ DILEMMA ▶▶▶ NEWS ▶▶▶ RESEARCH ▶▶▶ BRIEFING ▶▶▶ DIARY

- 03 LEADER**  
**The Black Report** The much anticipated report is full of ambitious proposals, but how realistic are they?
- 04 NEWS**  
 ... healthy-work balance ... Black review spells wider role for OH ... signing on – healthcare bodies agree to advise patients on health benefits of work ... civil service absence ... building better health – new OH tool for the construction industry ... HSE condemns H&S on construction sites ... GP pilots produce mixed response ... needlestick death ... COSHH relevant to flu pandemic ... sharp rise in RSI ... psychotherapy given boost ... EMF Directive postponed ... rise in DDA awareness ... DPP to close ... project to enhance health at work
- 10 LEGAL NEWS**  
 ... disability discrimination by association – *Coleman v Attridge Law* ... long-term sick may accrue holiday pay – *Stringer and four others v HM Revenue and Customs*
- 12 FEATURE**  
**Helping staff to work, rest and play**  
 Mars UK has more than halved its sickness absence over the past two years following the introduction of a proactive attendance management strategy that has seen its OH staff undergo cognitive behavioural therapy training. Paul Suff and John Ballard visited the company's Slough site to look at how CBT has helped Mars reduce absence.
- 17 FEATURE**  
**Legal update**  
 The annual *OH at Work* guide to recent, scheduled and expected changes to the law, codes of practice and official guidance in occupational health, health and safety, disability and professional practice. Recent changes include the long-awaited *Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation*, which came into force in June, a ban on smoking in enclosed places in England from July and from April
- in both Wales and Northern Ireland, and the passing of the *Corporate Manslaughter and Corporate Homicide Act. 2008* will see changes to the employment tribunal and statutory disputes resolution systems and the start of a process to radically alter the existing sicknote system, with greater emphasis on what someone can do at work rather than what they cannot do.
- 33 OPINION**  
**Who benefits?**  
 Heard the one about the mayor of Sefton in Merseyside whose appearances at civic functions, were used as evidence in court to show he was falsely claiming Disability Living Allowance. Seems like a bit of a joke? Maybe, but Jim Ford argues that the lack of medical expertise and misguided sickness certification may have contributed to this infamous case of fraud.
- 34 EXPERT WITNESS**  
**Family-friendly policies**  
*OH at Work's* legal expert Diana Kloss explores flexible working and the limits to employees' rights to change their working arrangements to fit with their responsibilities as carers.
- 36 RESEARCH DIGEST**  
 ... depression at work ... snakebite: an occupational hazard ... back to the drawing board ... behaving badly ... pointed questions ... solvent-induced hearing loss ... active work may reduce prostate cancer risk ... particulate matter and pregnancy outcome ... respiratory function ... nanotube health risks
- 40 RESEARCH PLUS**  
 Our compendium of published evidence on occupational health.
- 42 BOOKSHELF AND DIARY**  
 ... super size employees ... hazards at work ... asbestos video